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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.

14 ROBERTO CHARLES YSASSI,
15 Defendant.

2:05-CR-00261-BES-GWF

ORDER

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17 Currently before this Court is Defendant's Motion for Judgment of Acquittal, which was
18 orally submitted after the Government closed its evidence during trial. The Government
19 opposed this Motion.

20 Rule 29(a) of the Federal Rules of Criminal Procedure requires the Court to "enter a
21 judgment of acquittal on any offense for which the evidence is insufficient to sustain a
22 conviction." The relevant inquiry that the Court must make under this Rule is whether, after
23 viewing the evidence in the light most favorable to the prosecution, any rational trier of fact
24 could have found the essential elements of the crime beyond a reasonable doubt. See e.g.,
25 United States v. Yossunthorn, 167 F.3d 1267, 1270 (9th Cir. 1999) (quoting Jackson v.
26 Virginia, 443 U.S. 307, 319 (1979)).

27 Applying this standard, the Court finds that a rational trier of fact could have found the
28 essential elements of escape beyond a reasonable doubt at the close of the Government's

1 evidence. Accordingly,

2 IT IS HEREBY ORDERED that Defendant's Motion for Judgment of Acquittal is denied.

3 DATED: This 6TH day of July, 2006.

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6 UNITED STATES DISTRICT JUDGE
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